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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92056497
Party	Plaintiff Gerawan Farming, Inc.
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Submission	Stipulated/Consent Motion to Extend
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Date	02/19/2016
Attachments	Gerawan-Sambado_Consented Motion_Feb-2016_1.pdf(105597 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<i>In re Matter of Reg. No. 3,334,633 for the mark</i> PRIMA FRUTTA Gerawan Farming, Inc., Petitioner and Counter-Defendant,, vs. A. Sambado & Son, Inc., Registrant and Counterclaimant.	Cancellation No. 92-056497 PETITIONER AND COUNTER- DEFENDANT GERAWAN FARMING, INC.'S CONSENTED MOTION TO EXTEND THE PROCEEDINGS FOR 180 DAYS
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Petitioner and Counter-Defendant Gerawan Farming, Inc. ("Petitioner"), by and through its counsel, hereby moves the Board to extend the deadlines in these proceedings for 180 days, such that the deadlines are rescheduled as set forth below. Registrant and Counterclaimant A. Sambado & Son, Inc. ("Registrant"), by and through its counsel, has expressly consented to Petitioner's motion:

Deadline	Date
Discovery Closes	August 18, 2016
Petitioner's Pretrial Disclosures Due	October 1, 2016
30-day testimony period for Petitioner's testimony to close	November 14, 2016
Registrant/Counterclaimant Pretrial Disclosures Due	November 30, 2016
30-day testimony period for Registrant/Counterclaimant to close	January 13, 2017
Counter-Defendant's and Petitioner's Rebuttal Disclosures Due	January 28, 2017
30-day testimony period for Counter-Defendant and rebuttal testimony for Petitioner to close	March 16, 2017

Counterclaimant's Rebuttal Disclosures Due	March 30, 2017
15-day rebuttal period for Counterclaimant' to close	April 30, 2017
Brief for Petitioner due	June 28, 2017
Brief for Registrant and Counterclaimant due	July 29, 2017
Brief for Counter-Defendant and reply brief, if any, for Petitioner due	August 27, 2017
Reply brief, if any, for Counterclaimant due	September 9, 2017

What Has Been Resolved

The parties have agreed to enter a coexistence agreement. Registrant proposed a specific set of terms for coexistence, and, on October 14, 2015 and after a phone call between the parties' counsels to discuss settlement, Petitioner reverted with its proposed terms of settlement. Registrant is still in the process of considering Petitioner's proposed terms of settlement, and has been delayed by the press of other business during the fourth quarter of 2015.

Issues that Remain to be Resolved

The specific division of products for the coexistence agreement remains to be resolved.

Firm Timetable for Resolution

Registrant's counsel has informed Petitioner's counsel that he is working diligently to obtain Registrant's response to Petitioner's proposed terms of settlement. Petitioner is engaged in another litigation, which is set for trial on February 22, 2016, which is expected to last for ten weeks. After that trial is finished, Petitioner will begin another lengthy arbitration before the California ALRB on April 11, 2016, which is expected to last until late May 2016. Accordingly, the parties are hopeful that the parties' coexistence agreement should be finalized in the next 180 days.

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Accordingly, for the reasons stated above, Petitioner, with the express consent of Registrant, seeks a 180-day extension of all deadlines in this case.

Respectfully submitted,

Dated: February 19, 2016

/s/Jill M. Pietrini
Jill M. Pietrini
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CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically to Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board through ESTTA pursuant to 37 C.F.R. §2.195(a), on this 19th day of February, 2016.

/s/Paul A. Bost
Paul A. Bost

CERTIFICATE OF SERVICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Thomas A. Dirksen
4607 Lakeview Canyon Road, Suite 117
Westlake Village, CA 91361

on this 19th day of February, 2016.

/s/Brenda Smith
Brenda Smith

SMRH:475113330.1